

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:06-CR-57-D

UNITED STATES OF AMERICA

v.

ELIJAH SILVER,

Defendant.

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ORDER

On June 5, 2007, Elijah Silver ("Silver") appeared before Chief Judge Dever. Upon an earlier plea of guilty to distribution of more than 5 grams of cocaine base (crack), the court sentenced Silver to the custody of the Bureau of Prisons for a term of 138 months. Additionally, the court ordered that Silver be placed on supervised release for 60 months upon release from imprisonment. Silver was released from custody, and his term of supervised release began on July 15, 2016.

On August 15, 2016, the probation office submitted a petition for action on supervised release asking the court to hold a hearing to address whether to modify the conditions of supervision to include a sex-offender assessment and any other sex-offender conditions. On October 3, 2016, the court held the hearing, and the court ordered Silver to submit to a psycho-sexual evaluation. Silver appealed, and the United States Court of Appeals the Fourth Circuit affirmed this court's order.

On July 31, 2017, after a qualified mental health professional evaluated Silver, the probation office submitted a second petition for action on supervised release asking the court to hold a hearing to address whether to modify the conditions of supervision to include short-term individual sessions aimed at increasing prosocial behavior and targeting Silver's dynamic risk factors, a sexual history polygraph to rule out any additional offending and any other areas of sexual deviance, and participation in a counseling program or a cognitive behavioral therapy program.

On December 11, 2017, the court held a hearing concerning the petition for action. After considering the entire record and as discussed in open court, the court orders that Silver's supervised release be modified to include the following condition:

Defendant shall participate in a cognitive behavior therapy program.

SO ORDERED. This 22 day of December 2017.



JAMES C. DEVER III
Chief United States District Judge